

FORM PTO-1390
(REV 5-93)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTORNEY DOCKET NUMBER
026220-00065TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

DATE: June 3, 2005

U.S. APPLICATION NUMBER
(IF KNOWN, SEE 37 C.F.R. 1.5)

10 / 537439

INTERNATIONAL APPLICATION NUMBER PCT/EP2003/050932	INTERNATIONAL FILING DATE December 3, 2003	PRIORITY DATE CLAIMED December 17, 2002
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TITLE OF INVENTION: DRUGS FOR CHRONIC PAIN

APPLICANT(S) FOR DO/EO/US: Ennio ONGINI (Segrate (Milan), Italy), Nicoletta ALMIRANTE (Milano, Italy), Piero DEL SOLDATO (Monza (Milano), Italy)

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The U.S. has been elected (Article 31).
5. A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a. is attached hereto (required only if not transmitted by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application into English [35 U.S.C. 371(c)(2)]
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 - a. are attached hereto (required only if not transmitted by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 to 20 below concern other document(s) or information included:

11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98, PTO/SB/08a.
12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. A preliminary amendment.
14. An Application Data Sheet under 37 CFR 1.76.
15. A substitute specification.
16. A power of attorney and/or change of address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13*ter*.2 and 37 CFR 1.821 - 1.825.
18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information: Copy of International Search Report (PCT/ISA/210); Copy of Notification Concerning Submission or Transmittal of Priority Document (PCT/IB/304); Copy of Notification of Receipt of Record Copy, Copy of Notice Informing the Applicant of the Communication of the International Application, Copy of the International Publication No.: WO 2004/054965 A1 and Statement Verifying Small Entity Status

U.S. APPLICATION NUMBER (IF KNOWN, SEE 37 C.F.R. 1.50) 101537429	INTERNATIONAL APPLICATION NUMBER PCT/EP2003/050932	ATTORNEY DOCKET NUMBER 026220-00065		
The following fees are submitted		CALCULATIONS	PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic National Fee \$300.00		\$ 300.00		
22. <input checked="" type="checkbox"/> Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100.00 All other situations \$200.00		\$ 200.00		
23. <input checked="" type="checkbox"/> Search Fee Search Fee (37 CFR 1.445(a)(2)) has been paid on the International Application to the USPTO as an International Search Authority \$100.00 International Search Report prepared and provided to the Office \$400.00 All other situations \$500.00		\$ 400.00		
TOTAL OF CALCULATIONS FOR 21, 22 AND 23		\$ 900.00		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate	
- 100 =	/ 50 =	X \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)].		\$		
Claims	Number Filed	Number Extra	Rate	
Total Claims	12 - 20 =	0	X \$ 50.00	\$ 00
Independent Claims	1 - 3 =	0	X \$200.00	\$ 00
Multiple dependent claim(s) (if applicable)		+ \$360.00	\$ 00	
TOTAL OF ABOVE CALCULATIONS =		\$ 900.00		
Reduction by one-half for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 C.F.R. 1.9, 1.27, 1.28).		\$ 450.00		
SUBTOTAL =		\$ 450.00		
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)]. +		\$		
TOTAL NATIONAL FEE =		\$ 450.00		
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property +		\$		
TOTAL FEES ENCLOSED =		\$ 450.00		
		Amount to be refunded	\$	
		Charged	\$	
a. <input checked="" type="checkbox"/> Check # _____ in the amount of \$450.00 to cover the above fees is enclosed.				
b. <input type="checkbox"/> Please charge my Deposit Account Number 01-2300 in the amount of \$ _____ to cover the above fee. A duplicate copy of this sheet is enclosed.				
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number 01-2300, referencing Attorney Docket Number 026220-00065.				
NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO: Customer Number 004372 AREN'T FOX PLLC 1050 Connecticut Avenue, NW Suite 400 Washington, DC 20036-5339 Telephone: 202-857-6000 Fax: 202-638-4810				
<p style="text-align: right;"><i>M. Ogura Ref # 44,275</i></p> <p>Richard J. Berman for Registration Number 39,107</p>				

JC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ennio ONGINI, et al.

Confirmation No.: Unknown

National Phase of PCT/EP2003/050932

Group Art Unit: Unknown

Filed: June 3, 2005

Examiner: Unknown

For: DRUGS FOR CHRONIC PAIN

STATEMENT VERIFYING SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

June 3, 2005

Sir:

It is respectfully submitted that the above-identified is entitled to the benefit of small entity status and acknowledgement of this status by the Patent and Trademark Office is hereby requested.

In the event that any fees are due with respect to this paper, please charge Deposit Account No. 01-2300, referencing Atty. Docket No. 026220-00065.

Respectfully submitted,

M. J. Berman Reg #44,275
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Registration No. 39,107

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